

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

JANUARY 22, 2002

PRESENT:

Pete Sferrazza, Chairman
Joanne Bond, Vice Chairman
Jim Galloway, Commissioner
Jim Shaw, Commissioner
Ted Short, Commissioner

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy County Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

02-75 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the agenda for the January 22, 2002, meeting be approved with the following amendments: Delete Item 13B, concerning Lease Agreement with Lynn C. Fritz dba Fritz-Liberty Center concerning Public Defender office space at 350 S. Center; change language on Item 8G(2) to Delete "Special Offer Amendment." Chairman Sferrazza said he understands Commissioner Bond will make a motion to continue Item 15(B) concerning Special Use Permit Case No. SW0012-034 (Oil Dri) at the scheduled 4:00 p.m. time for that hearing.

PUBLIC COMMENTS

Sam Dehne, Reno citizen, said if the Board is going to cancel the "kitty litter" item, it should be cancelled now instead of waiting a couple of hours until the citizens come to the meeting. He then discussed issues of concern relative to the appointees on the Airport Authority Board and the RSCVA.

Chairman Sferrazza stated the District Attorney advised that the Oil-Dri item is set for a time certain on the agenda and it would be necessary to open the public hearing before it could be continued.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Galloway said discussion at the last joint meeting with the City of Reno raised some general interest in the possible consolidation of governments, and a structure has been set up whereby Board and Council members would volunteer to be on committees. He advised it has been requested that any meeting material be sent to both of his CAB's so they can send representatives to meetings if they so choose. He requested that any meeting material also be sent to the Incline Village GID.

Commissioner Bond requested information regarding whether the County has any method of addressing health and safety issues when a private road falls into such disrepair that public transportation systems refuse to access it.

Commissioner Short said he would like to have a discussion regarding the formation of a citizens committee to study consolidation issues.

Commissioner Shaw requested that staff look into the feasibility of purchasing Rattlesnake Mountain.

02-76 RESOLUTION – COMMENDING WASHOE COUNTY DEPUTY TRACEY BLOOM

Chairman Sferrazza went to the podium and read the Resolution Commending Washoe County Deputy Tracey Bloom. Mr. Bloom thanked the Board and said it was an honor to receive the commendation. He said he accepted this honor on the part of every deputy and law enforcement officer that serves the County. Officer Bloom then introduced family and co-workers who were present to show their support.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute:

WHEREAS, Providing the highest possible quality of protection to the citizens and visitors of our region is included in the Mission of the Washoe County Sheriff's Office; and

WHEREAS, On January 5th of this year, Deputy Tracey Bloom, a six-year veteran of the Sheriff's Office risked his life while off duty to uphold that mission when he helped to save a 20-year old disabled woman from a burning vehicle; and

WHEREAS, Deputy Bloom was on his way into work on Interstate 80 east of Reno, when he saw Robert Blalock attempting to free his daughter Cynthia from a burning vehicle; and

WHEREAS, Deputy Bloom stopped to assist Mr. Blalock and was attempting to free Cynthia from the car when a truck hit the vehicle from behind; and

WHEREAS, While Deputy Bloom acted immediately to push Mr. Blalock out of harms way, the collision pinned the deputy's leg between the still burning car and the guardrail; and

WHEREAS, Faced with this dangerous situation, Deputy Bloom shoved the car back far enough to free his leg, broke open the passenger side window with his flashlight and pulled Ms. Blalock to safety moments before the car was completely engulfed in flames; and

WHEREAS, Deputy Tracey Bloom's brave and selfless act exceeds the expectations of the highest quality of protection to citizens, and ranks as a truly heroic act for which we are all grateful and proud; now, therefore, be it

RESOLVED, By the Washoe County Board of Commissioners, on behalf of all the citizens of Washoe County, that the Board commends Deputy Tracey Bloom for his courage, quick-thinking and dedication to save the life of another while in a life-threatening situation.

02-77 ACCEPTANCE OF DONATIONS – KIDS KOTTAGE - SOCIAL SERVICES

Alice Ledemas, Supervisor of Child Care Services, introduced several members of the Reno Kiwanis Club who were present. She advised they continue to provide cash and in-kind donations to support the Kids Kottage emergency shelters. A representative of the Kiwanis Club stated it is a joy to work on behalf of the Kids Kottages and their great staff.

Chairman Sferrazza recognized all contributors to the Kids Kottages outlined in the agenda material and thanked the donors for their generous contributions.

Upon recommendation of Michael Capello, Director, Department of Social Services, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the following cash donations in the amount of \$4,789.00 to be used to assist children in emergency shelter care and families who are clients of the Washoe County Department of Social Services be accepted with gratitude:

- \$ 91.00 from Kids Kottage Art Auction
- \$ 724.00 from employees of A & H Insurance
- \$ 100.00 from Western Industrial Nevada (WIN)
- \$ 759.00 from United Way of Northern Nevada
- \$ 200.00 from members of Classic Chevys of Reno, Nevada
- \$ 500.00 from Reno Kiwanis Community Foundation

\$ 115.00 from members of St. Paul's United Methodist Church
 \$ 300.00 from Reno Airport Fire Fighters
 \$2,000.00 from an anonymous donor

Increase Revenues Account	Description	Amount
28-28052-5802	Donations – General	\$4,789.00
Increase Expenditures Account		
28-28052-7205	Minor Furniture and Equipment	\$4,789.00

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the minutes of the joint meeting and the regular meeting of December 18, 2001, be approved.

**02-78 RESOLUTION – PRELIMINARY PLANS AND ASSESSMENT
 PLAT – SPECIAL ASSESSMENT DISTRICT NO. 29 – MT. ROSE
 SEWER INTERCEPTOR**

John Collins, Manager, Utility Services Division, was present to respond to questions of the Board.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION NO. 02-78

A RESOLUTION DIRECTING THE ENGINEERS ON BEHALF OF THE COUNTY TO PREPARE AND FILE WITH THE COUNTY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED SANITARY SEWER PROJECT IN SPECIAL ASSESSMENT DISTRICT NO. 29 (MT. ROSE INTERCEPTOR), FOR THE ACQUISITION AND IMPROVEMENT OF A SEWER PROJECT IN WASHOE COUNTY PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENT LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada is of the opinion and has determined and does hereby declare that the interest of the County of Washoe requires the acquisition and improvement of a sanitary sewer project as defined in NRS §271.200 (the "Project"); and

WHEREAS, for the purpose of designation and identification it is desirable that the hereinafter described Project be known and identified as "Washoe County, Nevada, Special Assessment District No. 29 (Mt. Rose Interceptor)" (the "Improvement District" or "District").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA;

Section 1. The Department of Water Resources, as engineer for the County (the "Engineer") is hereby directed to prepare, and file with the County Clerk preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate size of pipe and depth of placement, thickness and wideness, and a preliminary estimate of the total cost (including all incidental cost), and a preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the Project, which is more particularly described as the acquisition and improvement of the Project from the vicinity of the intersection of Lake Geneva Drive and Lausanne Drive within the Montreux subdivision to 20000 Mt. Rose Highway (Assessor's Parcel Number 048-070-14). The Project will extend approximately 10,000-feet of eight-inch diameter sewer westerly from the Montreux subdivision to the Tannenbaum area located on the Mt. Rose Highway.

Section 2. Except as shown on the preliminary plans for the District to be filed by the Engineer with the County Clerk, the character of the improvements for the Project shall be described more particularly as acquisition and improvement of a sanitary sewer system, including laterals, collection lines, sewer lines, interceptors, apparatus, fixtures and structures and all appurtenances and incidentals necessary thereto.

Section 3. Except as shown on the preliminary plans to be filed by the Engineer in the office of the County Clerk, the character and location of the Project shall be as described in Sections 1, 2 and 6 hereof.

Section 4. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or in unit prices, or as the Engineer determines is most desirable for the construction, acquisition, improvement and installation of the Project. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing and such other expenses as in the judgment of such Engineer are necessary or essential to the completion of such work or improvement attributable to the costs in the improvement district and the payment of the cost thereof. The entire cost of the Project is of special benefit and shall be paid by special assessment against the tracts benefitted.

Section 5. The Engineer is hereby directed to prepare and file with the County Clerk an assessment plat showing the area to be assessed, the market value and a

description of each tract, the name and address of each owner, the amount of estimated maximum benefits to be assessed against each tract based proportionately on the benefits received and the basis of the method of assessment. Such estimated benefits may be shown by an attached addendum to the plat which may be designated as the preliminary assessments roll or tabulation of parcels. An equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots or lands, if any, and for any tract or parcel not specially benefitted by the improvements so that assessments according to benefits are to be equal and uniform. In any event, the assessments shall be against all lots benefitted by the Project proportionally to benefits received.

Section 6. The boundaries of the improvements in the District shall include, at the lower end of the Project, the sewer connection to the existing sewer located approximately 100 feet north from the section corner common to sections 3, 4, 9, and 10, T. 17 N., R. 19 E. This point is within common area of the Montreux subdivision located within the Forest Plan Area of the Washoe County Comprehensive Plan. From such starting point, the sewer will be constructed to the southwest across property administered by the U.S. Forest Service and privately owned property to the right-of-way of Joy Lake Road. The sewer will then be constructed westerly within the right-of-way of Joy Lake Road to the Mt. Rose Highway, where it will cross the highway, proceed southerly within the right-of-way, crossing Galena Creek, to the access road to South Galena Park. The sewer will then precede westerly within the South Galena Park (Camp WE-CH-ME) access road and on property (APNs 047-010-40 and 62) owned by Washoe County, past the existing lodge, to the an area near the Mt. Rose Water Tank 3. From here the sewer will be constructed in a southerly direction across APN 047-010-41, property also owned by Washoe County, toward the Mt. Rose Highway. Then the sewer enters privately owned land, APN 048-070-11, and proceeds south and west, approximately parallel to the Mt. Rose Highway, through APN 048-070-11 to APN 048-070-15 and APN 048-070-14, where this phase of the sewer terminates.

Section 7. The officers of the County are directed to effectuate the provisions of this resolution.

Section 8. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 9. The invalidity of any provisions of its resolution shall not affect any remaining provisions hereof.

Section 10. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

02-79

**RESOLUTION – ACQUISITION AND IMPROVEMENT –
SPECIAL ASSESSMENT DISTRICT NO. 31 – SPEARHEAD
WAY/RUNNING BEAR DRIVE**

David Roundtree, Public Works Director, was present to respond to questions of the Board.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION NO. 02-79

A RESOLUTION MAKING A PROVISIONAL ORDER FOR THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO, TO BE KNOWN AS WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE PROJECT; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe in the State of Nevada, duly adopted and approved has directed the Director of the Department of Public Works (the "Engineer") to file with the County Clerk certain preliminary plans, assessment plat, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits, all in connection with the acquisition, pursuant to Chapter 271, Nevada Revised Statutes, of a street project, as hereinafter more specifically described (the "Street Project" or "Project"); and

WHEREAS, pursuant to such direction and with such modification in the details of the Project as was deemed necessary and as is consistent with the provisions of this resolution, the Engineer on January 22, 2002, filed with the Clerk of the County, in connection with said improvements, and with the proposed Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive), the following:

(A) Preliminary plans and specifications, with construction drawings, showing a typical section of the contemplated improvements, the type or types of material, and the approximate thickness and wideness;

(B) A preliminary estimate of the total cost of the Project and of each type of construction, the estimate being made on a lump sum, including in the total estimate, without limiting the generality of the

foregoing, the advertising, appraising, engineering, legal, printing, and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof;

(C) An assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels" or "Preliminary Assessment Roll") showing the descriptions of the property to be assessed, showing the area to be assessed, the market values, the amounts of estimated preliminary assessments, the amount of maximum benefits estimated to be assessed against each tract or parcel of land in the District, the estimate being based on a per lot basis, as hereafter described and with an equitable adjustment having been made for any tract or parcel not specially benefitted in direct proportion to the percentage applicable to that tract or parcel under the per lot method used so that assessments according to benefits will be equal and uniform; and

(D) The Engineer's Report to the Board of County Commissioners on Benefits as to the method of determining benefits and explaining the adjustments and the per lot method of assessment; and

WHEREAS, the Board has examined said plans, assessment plat, including the addendum thereto, a typical section of contemplated improvements, preliminary estimate of the cost, estimate of maximum benefits and Engineer's Report so filed with said Clerk and has found and does hereby declare the same to be satisfactory in all respects.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA: that the Board shall and hereby does accept the plans and specifications, assessment plat (including the addendum and exhibits thereto), typical section of the contemplated improvements, preliminary estimate of cost, the Engineer's Report on Benefits and the estimate of maximum benefits to be assessed against each tract or parcel of land in the assessment area.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES RESOLVE FURTHER AND SHALL, AND HEREBY DOES, PROVISIONALLY ORDER:

Section 1. The improvement district shall be designated "Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive)" (the "District").

Section 2. The Project shall be acquired at an estimated preliminary total cost of \$247,200, of which \$120,000 of such costs will be paid from other sources and the estimated balance totaling \$127,200 will be paid by the levy of special assessments

against property in the District as further described below. The estimated preliminary total cost includes engineering, legal, and incidental expenses as more particularly hereinafter set forth and as described in the plans and specifications herein accepted, reference to which is hereby made and which are available for public inspection at the office of the County Clerk and at the office of the Engineer.

Section 3. The District shall constitute one assessment unit for purposes of remonstrance, construction and assessment. The boundaries of the District and such unit shall be as designated in the form of notice set forth in Section 4 of this resolution. The amounts to be assessed shall be made upon all tracts benefitted in proportion to the special benefits received, as more fully described in the form of notice set forth in Section 4 of this resolution.

Section 4. On March 12, 2002 at 5:30 p.m. a.m. at the Commissioners' Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada (i.e., a time at least 20 days after the adoption of this resolution), the Board of County Commissioners will consider the ordering of the Project and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing concerning the same by the owners of the property to be assessed or any person interested. The owners of the property to be assessed or any other persons interested therein may file a written protest or objection and may appear before the Board and be heard as to the propriety and advisability of making such improvements as to the estimated cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against the property to be improved. Twenty (20) days' notice in writing of such time and place shall be given to such property owners, postage prepaid, as first-class mail to each of such property owners at his last-known address, the names and addresses of such property owners to be obtained from the records of the County Assessor or from such other sources as the County Clerk or the Engineer deem reliable. Any such list of names and addresses may be revised from time to time but such list need not be revised more frequently than at twelve-month intervals. If a mobile home park is located on one or more of the tracts to be assessed, the notice must be given to the owner of the tract and each tenant of that mobile home park. Notice shall also be given by posting in three public places at or near the site of the Project at least twenty (20) days prior to said hearing. Proof of such mailing and posting shall be made by the affidavit of the County Clerk or of the Engineer, such proof to be filed with the County Clerk, provided that failure to mail such notice or notices shall not invalidate any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publication in the Reno Gazette-Journal, a daily newspaper published in Reno and of general circulation in Washoe County, Nevada, once each week for three (3) consecutive weekly publications, by three (3) weekly insertions, the first publication in such newspaper to be at least fifteen (15) days prior to the date of the protest hearing. Not less than fourteen (14) days shall intervene between the first publication and the last publication in such newspaper. Such service by publication shall be verified by the affidavit of the publishers and filed with the County Clerk. The proof of publication, the proof of mailing and the proof of posting shall be maintained in the records of the office of the County Clerk until all the assessments appertaining to the

District shall have been paid in full as to principal, interest and any penalties or collection costs. The notice shall be in substantially the following form outlined.

Section 5. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the provisions of this resolution) concerning the Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) be, and the same hereby are, ratified, approved and confirmed.

Section 6. The officers of the County are directed to effectuate the provisions of this resolution.

Section 7. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 8. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 9. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

**02-80 AWARD OF BID – WATER BORNE TRAFFIC LINE PAINT - BID
NO. 2317-02/RW – ROADS DIVISION**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on December 12, 2001, for Water Borne Traffic Line Paint for the Roads Division. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Ennis Paint, Inc.
Pervo Paint Company
TMT Pathway LLC

Centerline Industries, Inc. was disqualified because the bid document was not signed.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2317-02/RW for Water Borne Traffic Line Paint for the Roads Division be awarded to the lowest responsive, responsible bidder, Pervo Paint Company.

It was noted that the bid award shall be utilized from the date of award to December 31, 2004 with the County retaining the option for a one-year extension, provided there is no increase in the cost of water borne traffic line paint and service is acceptable to Washoe County. It was further noted that the Water Borne Traffic Line Paint is considered a road maintenance item and shall be for an indeterminate amount as exact future requirements for these items are not known at this time. The estimated value of this award for fiscal year 2001/2002 is in excess of \$60,000.00.

02-81 PURCHASE – STORAGETEC L80 SUPER DLT TAPE BACKUP LIBRARY SYSTEM – INFORMATION TECHNOLOGY

Upon recommendation of Cory Casazza, Information Technology Manager, and Matt Beckstedt, Information Technology Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the funding for purchase and installation of the StorageTec L80 Super DLT backup library system from Unisys Corporation in the amount \$81,000 be approved.

02-82 ACCEPTANCE OF GRANT AWARD – OJJDP TITLE V, "SARB" – JUVENILE SERVICES

Upon recommendation of Michael Pomi, Division Director, Department of Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the OJJDP Title V "SARB Grant" in the amount of \$10,000 to assist families and students in alleviating factors that interfere with the mandated requirement that a student attend school be accepted and the following account transactions be authorized:

INCREASE:

Revenue Account	Description	Amount
12921G-4301	Federal Contributions	\$10,000.00
Expenditure Appropriation		
12921G-7103		\$10,000.00

02-83 ACCEPTANCE OF GRANT AWARD – OJJDP TITLE II, CHALLENGE GRANT ("FAMILY WELLNESS") – JUVENILE SERVICES

Upon recommendation of Michael Pomi, Division Director, Department of Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the OJJDP Title II, Challenge Grant ("Family Wellness") in the amount of \$8,400 to provide a continuum of care and programming primarily to juvenile female offenders, other clients of the McGee Center and their families be accepted and the following account transactions be authorized:

INCREASE:

Revenue Account	Description	Amount
2801G-4301	Federal Contributions	\$8,400.00
Expenditure Appropriation		
12801G-7103		\$8,400.00

02-84 ACCEPTANCE OF GRANT AWARD – OJJDP TITLE V
"PREVENTION GRANT" – JUVENILE SERVICES

Upon recommendation of Michael Pomi, Division Director, Department of Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the OJJDP Title V Incline "Prevention Grant" grant in the amount of \$20,000 to provide a Hispanic outreach worker to help Latino families at Lake Tahoe access many needed services and assisting families to overcome language and cultural barriers be accepted and the following account transactions be authorized:

INCREASE:

Revenue Account	Description	Amount
12804G-4301	Federal Contributions	\$20,000.00
Expenditure Appropriation		
12804G-7103		\$20,000.00

02-85 ACCEPTANCE OF GRANT AWARD – OJJDP TITLE V, "KIDS
ON LINE" – JUVENILE SERVICES

Upon recommendation of Michael Pomi, Division Director, Department of Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the OJJDP Title V, "Kids on Line" grant in the amount of \$11,488 to allow for expansion of "Kids on Line", which focuses on recruiting at-risk youth and encouraging them to engage in learning about technology through the use of computers and the Internet, to the new Bailey Charter Elementary School/Project Solutions located in Southeast Reno be accepted and the following account transactions be authorized:

INCREASE:

Revenue Account	Description	Amount
12803G-4301	Federal Contributions	\$11,488.00
Expenditure Appropriation		
12803G-7103		\$11,488.00

02-86

**ACCEPTANCE OF GRANT AWARD – OJJDP TITLE V,
SUMMER NOVANET – JUVENILE SERVICES**

Upon recommendation of Michael Pomi, Division Director, Department of Juvenile Services, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that that the OJJDP Title V, Summer NovaNet Attendance Intervention Program in the amount of \$10,333 to help truant students and potential drop outs by providing a way to record credits, enhance skills and work toward graduation anytime during a semester be accepted and the following account transactions be authorized:

INCREASE:

Revenue Account	Description	Amount
12922G-7301	Federal Contributions	\$10,333.00
Expenditure Appropriation		
12922G-7103		\$10,333.00

02-87

**GRANTS OF EASEMENT (TWO) – ACCESS AND WATERLINE
FACILITIES – LEMMON VALLEY – WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Stephen Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that two Grants of Easement between Washoe County, Grantee, and DP Operating Partnership, Grantor, for access and waterline facilities to Lemmon Valley Well No. 9 located within the Sage Pointe Business Park be accepted and Chairman Sferrazza be authorized to execute. It was further ordered that the Manager of the Utility Services Division be directed to record the Grants with the County Recorder.

02-88

**EXPENDITURE FROM REGIONAL WATER MANAGEMENT
FUND - CONTRACT AMENDMENT – ECO:LOGIC – ORR DITCH
RECHARGE ANALYSIS PROJECT – WATER RESOURCES**

Upon recommendation of Jim Smitherman, Water Management Planner Coordinator, through Jeanne Ruefer, Water Resources Planning Manager, and Stephen Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the contract amendment, not to exceed \$21,300 for ECO:LOGIC to complete a revised scope of work as part of the Orr Ditch Recharge Analysis Project be approved and Chairman Sferrazza be authorized to execute. It was further ordered that authority, not to exceed \$18,300, for Water Resources Department staff to provide groundwater computer modeling and conduct soil test at potential recharge sites be approved, and these expenditures totaling \$39,600 be paid from the Regional Water Management Fund.

02-89 WESTLAW SUBSCRIBER AGREEMENT – WEST GROUP – ON-LINE RESEARCH CAPABILITY – DISTRICT ATTORNEY

Upon recommendation of Madelyn Shipman, Assistant District Attorney, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Westlaw Subscriber Agreement between the Washoe County District Attorney and the West Group for provision of on-line research capability to the Office of the District Attorney in the amount of \$29,496 be approved and the District Attorney be authorized to execute the agreement as the Subscriber.

02-90 CAPITAL CONTRIBUTION FRONT-ENDING AGREEMENT – VILLAGE PARKWAY – PUBLIC WORKS

Upon recommendation of Clara Lawson, Engineering Division, through Stephen Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Capital Contribution Front-Ending Agreement (CCFEA) with Woodland Village Homes, Inc. (developer of record) and the Regional Transportation Commission (RTC) for design, construction and right-of-way dedication made to Village Parkway be approved and Chairman Sferrazza be authorized to execute.

02-91 PROFESSIONAL SERVICES AGREEMENTS – FAMILY DRUG/ALCOHOL REHABILITATION SERVICES – SECOND JUDICIAL DISTRICT COURT

Upon recommendation of Ron Longtin, District Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Professional Services Agreement for Family Drug Court services between the Second Judicial District Court and North Star Treatment and Recovery Center for a not-to-exceed cost of \$30,000 be approved and Chairman Sferrazza be authorized to execute.

It was further ordered that the Professional Services Agreement for Family Drug Court services between the Second Judicial District Court and Step 2/Lighthouse of the Sierra for a not-to-exceed cost of \$60,000 be approved and Chairman Sferrazza be authorized to execute.

02-92 AGREEMENT – WASHOE LITTLE LEAGUE – SOUTH VALLEYS REGIONAL SPORTS COMPLEX

Upon recommendation of Gregg Finkler, Parks Operations Superintendent, through Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried,

it was ordered that the agreement between Washoe County and Washoe Little League for the design and construction of a concession building, to include restrooms and a scorekeeper's area, at the South Valleys Regional Sports Complex, be approved and Chairman Sferrazza be authorized to execute.

It was noted that Washoe Little League will construct, at its own expense, the concession building at an estimated cost of \$150,000; annual building maintenance and utility costs estimated at \$1,700 need to be included in the General Services Department 2002/03 budget; and the Parks Department will perform daily restroom cleaning and trash pickup at an estimated annual cost of \$1,500, which is to be included in the 2002/03 Parks Department budget.

02-93 ACCEPTANCE OF DONATIONS – SENIOR SERVICES

Chairman Sferrazza reviewed this agenda item. Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following donations in the amount of \$77,500 be accepted with gratitude; and that a new Social Worker position within the Senior Services Department's Case Management Program be approved.

- \$ 1,000 from the General and Vascular Associates to the Adult Daycare Program.
- \$ 1,000 from the McKenzie Foundation to the Home Delivered Meal Program.
- \$ 1,000 from the Erin Foundation, through the Senior Alliance for Support Services to the Home Delivered Meal Program.
- \$ 500 from the Veterans of Foreign Wars Post 3819 to the ONRI Program which provides emergency financial assistance.
- \$ 5,000 from the Cummings Family Trust, through the Senior Alliance for Support Services to the Home Delivered Meal Program.
- \$65,000 from the E.L. Cord Foundation to the Department's Social Services unit to be applied to salary and benefits for a new Licensed Clinical Social Worker position for the purpose of providing intervention for senior citizens with mental health and/or substance abuse problems.

It was further ordered that the Comptroller be directed to make the following account changes:

REVENUES:

Account	Amount
25011 -5802	\$ 500.00
2501D4 -5802	\$65,000.00
25052G02 -5802	\$11,000.00
250611 -5802	\$ 1,000.00

EXPENDITURES:

Account	Amount
25011 -5808	\$ 500.00
2501D4 -7001	\$65,000.00
25052G02 -7392	\$11,000.00
250611 -7398	\$ 1,000.00

**02-94 ABOLISH POSITIONS – COUNTY CLERK MICROGRAPHIC
FUNCTION - NEW POSITIONS – SECOND JUDICIAL DISTRICT
COURT MICROGRAPHIC FUNCTION – MEMORANDUM OF
UNDERSTANDING**

Ron Longtin, District Court Administrator, reviewed background information concerning the transfer of positions, funds and equipment related to moving the function of the Microfilm Department from the Clerk's office to District Court. Mr. Longtin responded to questions of the Board.

Amy Harvey, County Clerk, stated there may be some fiscal impact to the Clerk's office when the transfer is fully implemented. She advised that the Clerk's office and District Court are working together to try to reach an agreement on the sharing of equipment and space in order for the Clerk's office to meet its statutory requirements regarding the microfilming of public records; but if no agreement is reached the Clerk's office would need to purchase the necessary equipment to furnish the microfilming function the Clerk's office is mandated to provide. She said the Clerk's office may also need to request a reclass of a current employee to provide the duties administered by the supervisor being transferred to District Court. Ms. Harvey then responded to questions of the Board.

Legal Counsel Shipman responded to questions of the Board regarding the Memorandum of Understanding. Katy Singlaub, County Manager, Joanne Ray, Director of Human Resources, and Steve Watson, Labor Relations Manager, responded to questions of the Board concerning issues relating to the employees that would be transferred.

Commissioner Bond commented she would like to have seen the agreement for the mutual sharing of equipment, etc. worked out before the matter came before the Board. Mr. Longtin advised a proposed agreement has been developed that is agreeable to the Court in concept, but there has not been sufficient time to review it. He stated that at this time District Court has agreed to allow the Clerk to utilize the equipment currently residing in the microfilm division.

Following further discussion, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following actions be taken:

1. Four Office Assistant III positions (\$30,190.37 - \$39,228.38) and one Records Management Supervisor position (\$38,082.72 - \$49,518.14) in the County Clerk's micrographic function be abolished.

2. Four Deputy Clerk II positions (\$25,313.60 - \$39,228.80) and one Supervisory Clerk II (\$38,082.72 - \$49,518.14) position in the District Court be created.

3. Funds and equipment related to moving the micrographic function and positions to the District Court be transferred.

4. The Memorandum of Understanding between Washoe County and the Second Judicial District Court be accepted and Chairman Sferrazza be authorized to execute.

5. The issue regarding mutual sharing of equipment be resolved by separate agreement.

It was further ordered that the Comptroller be directed to make the following account adjustments:

1. Transfer out of 10411-Clerk Microfilm the available balance as of January 27, 2002 in all the salaries and benefits accounts to the respective account in the District Court key organization 121010-Clerk of the Court.

2. Transfer the following amounts from the services and supplies budget in Clerk key org 10411 to District Court key org 121010:

- \$1,596.49 in 7181 – Service Contracts
- \$3,503.10 in 7250 – Office Supplies
- \$4,874.60 in 7259 – Photographic Supplies
- \$177.92 in 7307 – Auto Expense
- \$2,321.14 in 7357 – Printing
- \$920.00 in 7382 – Telephone
- \$2,171.25 in 7801 – Machinery and Equipment

02-95 FUNDING REQUEST – RESOLUTION - ARTOWN'S "COUNTING SHEEP" PROJECT

Katy Singlaub, County Manager, advised that the County has had a long history of involvement in arts projects at the Bartley Amphitheater and exhibits in libraries, and is excited about the opportunity to participate in the Big Horn Sheep Counting Sheep Project.

Beth Macmillan, Artown, reviewed the background of Brad Rude, the sculptor who will create the original bronze piece for the Counting Sheep event taking place this summer in the Truckee Meadows. She advised that the artistic review

committee led by Turkey Stremmel of Stremmel Galleries has chosen 25 Nevada artists that will design and decorate the 25 fiberglass bighorn sheep replicas that are currently up for adoption. Tonya Drake, Nevada Bell, provided additional information and advised they want this event to be a sign of the business, arts, education, and non-profit communities coming together for a public art display and for economic development. She then reviewed the levels of sponsorship. A copy of some of the initial concepts from the first few artists was provided for the Board's review. Ms. Macmillan and Ms. Drake then responded to questions of the Board.

Commissioner Shaw said he would be willing to contribute funds from his Commissioner account. Katy Singlaub, County Manager, suggested that, if the Board approves sponsorship, a Commissioner could contribute if they wish, with the balance coming out of the Manager's budget.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution approving the funding of Artown's Counting Sheep exhibit at the \$5,000 sponsorship level be adopted and Chairman Sferrazza be authorized to execute. It was noted that a Commissioner might contribute to the sponsorship if they so desire, with the balance of the funding to be made from the Manager's budget.

RESOLUTION--Authorizing the Grant of Public Money to a Private Nonprofit Organization

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, to be expended for a selected purpose; and

WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2001/2002, a grant of money which will provide a substantial benefit to the inhabitants of Washoe County and which is made to private, nonprofit organizations; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to Artown for their Counting Sheep Exhibit, a grant of in-kind support for Fiscal Year 2001/2002 in the amount of \$5,000 as a sponsorship level for one of the 25 fiberglass replicas of a bighorn sheep.

[Business Impact Note: The Board of County Commissioners hereby finds that this Resolution does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

02-96

**LICENSE AGREEMENT – SPORTS LIGHTING – FIELD NO. 3 -
SOUTH VALLEYS REGIONAL SPORTS COMPLEX – WASHOE
LITTLE LEAGUE**

Tim Howsley, Washoe Little League, said they have been requested to put in a fire hydrant at the concession building, but a fire hydrant is shown on the original plan to the South Valleys Little League Complex, and they would request the County put in the hydrant rather than requiring the Little League to pay for it. Karen Mullen, Director, Department of Parks and Recreation, said she was not aware of the fire hydrant issue and would look into the matter.

Commissioner Galloway expressed concern about night activities for younger people and the possible impact on their schoolwork. Mr. Howsley discussed the procedures they have implemented to emphasize academics.

Mr. Howsley then stated they are concerned about the requirement to pay 50% of the utility costs this year. He advised they have put in several thousand dollars in capital improvements at the field and would request some kind of waiver. Ms. Mullen said staff outlined the various options for payment of utility costs but did not take into consideration what happens when someone provides capital improvements.

Following discussion, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, it was ordered that the Volunteer Service Agreement between Washoe County and Washoe Little League for the installation of sports lighting on Field #3 at the South Valleys Regional Sports Complex be approved and Chairman Sferrazza be authorized to execute. It was further ordered that the Washoe Little League not be charged for utility costs for 2002 and be responsible for 50% of the utility costs in the 2003 calendar year, 75% in 2004 and 100% in 2005.

02-97

**GRANT – BUREAU OF ALCOHOL AND DRUG ABUSE –
CONTRACT – NORTH STAR TREATMENT AND RECOVERY
CENTER - DETENTION FACILITY**

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the grant in the amount of \$180,000 (with no County match) from the Bureau of Alcohol and Drug Abuse for citizens brought in for civil protective custody to the Washoe County Detention Facility be accepted. It was further ordered that the Substance Abuse Evaluation and Referral Services Agreement between Washoe County and North Star Treatment and Recovery Center concerning substance abuse services be approved and Chairman Sferrazza be authorized to execute; and the following account transactions be authorized:

Increase Revenues Account	Amount
15273G-4302	\$180,000.00
Increase Expenditures Account	Amount
15273G-7140	\$180,000.00

02-98 REGIONAL PLAN UPDATE – COMMUNITY DEVELOPMENT

Eric Young, Advanced Planning Program, Community Development Department, provided a written review of policies in the Draft Regional Plan that are acceptable and unacceptable to the County. He reviewed the process to date, advising that the plan has been released for public comment, surveys have been completed, and all information is being collated. He said further discussion of the Board's important points will be held at the County Commission meeting on February 12 and staff will make recommendations for upcoming Governing Board meetings concerning the County's official position on some of the options and policies that have been determined to be unacceptable.

Discussion was held on various items contained on the report and Mr. Young responded to questions. Mr. Young advised that telephone calls and conversations with citizens have included a great deal of anxiety about the different possibilities the plan represents. Commissioner Galloway asked if the matrix could show where the public and the County agree and disagree. Mr. Young advised that extensive public input has been received and most of the County's options and positions are supported by the public.

Chairman Sferrazza said he thinks it is inappropriate for the County to have intense development and believes 1/3-acre development is intense. He said to the extent the County is willing to limit growth within the unincorporated County, the City should be willing to limit annexation and sphere changes; and he would rather preserve existing communities and as much open space as possible and not approve more 1/3-acre developments in the unincorporated County. Commissioner Galloway commented that he does not favor letting people transfer density from undevelopable property but could support density transfers from existing entitlements to provide for a dedication of open space. Chairman Sferrazza said he could support that as well.

Chairman Sferrazza advised a request was received from Connected Communities that the Board support a position whereby the spheres would not be amended and the status quo would be maintained pending completion of the analysis Mr. Young discussed. Mr. Young advised that is also staff's position; and staff's position is the same as Regional Planning's except the County has added a map showing where future sphere growth might happen, and areas where the County would not support any sphere growth.

Richard Hobbs, County resident, supported Mr. Young's statements and said the County is losing badly on the draft plan. He stated that the Commissioners should talk to members of the Reno and Sparks City Councils about these issues.

Commissioner Galloway said his understanding of the position of the Connected Communities was they were not only advocating a freezing of spheres but also a continuation of the current plan. He said the Board could identify items that are totally unacceptable, but if a plan cannot be developed that resolves those issues, the County's position might be for a continuation of the current plan, which would provide the opportunity to get those items into an acceptable form. Commissioner Galloway discussed issues relating to the potential impact of the Regional Plan on the South Truckee Meadows General Improvement District, whose water resources are primarily from groundwater and stream development. He said he wants to put an item on the Governing Board agenda to discuss that the plan should consider a policy that might provide that, if an area of land is intensified in the South Truckee Meadows hydrographic area, there should be a deintensification of some other portion of land so the total water consumption at build-out would not be exceeded. Mr. Young noted that the Regional Planning Agency has been in closer contact with Water Resources and has contemplated making the Draft Regional Plan more resource driven.

**02-99 RESOLUTION – MORATORIUM ON THE ACCEPTANCE,
PROCESSING AND APPROVING OF APPLICATIONS FOR NEW
OFF-PREMISE SIGNS**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION -- Resolution Placing a Moratorium on the Acceptance, Processing and Approving of Applications for New Off-premise signs, and Other Matters Properly Relating Thereto

WHEREAS, recent court rulings concerning off-premise sign (billboard) regulations administered by the City of Reno and City of Sparks have resulted in successful challenges to portions of their regulations; and

WHEREAS, the successful court challenges may have an affect on the current County off-premise sign regulations; and

WHEREAS, the acceptance of applications for development permits for new off-premise signs could affect the review and possible amendment of the current regulations governing off-premise signs; and

WHEREAS, it has been past policy for the Board of Washoe County Commissioners to adopt a moratorium on the acceptance of applications for new off-

premise signs when developing and considering possible amendments to the regulations;
and

WHEREAS, the Washoe County Board of County Commissioners adopted a moratorium on the acceptance, processing and approval of applications for new off-premise signs in May 2001, said moratorium having expired after its 180 day period;
and

WHEREAS, the Washoe County Board of County Commissioners has not completed its review of proposed amendments to the County's off-premise sign regulations as recommended by the Washoe County Planning Commission in December 2001; and

WHEREAS, the circumstances that prompted the Washoe County Board of Commissioners to adopt a moratorium in May 2001 still exist;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washoe County that it is appropriate to adopt a moratorium for the acceptance, processing and approval of development applications for new off-premise signs in order to provide adequate and unbiased review of and possible amendments to Washoe County Code, Chapter 110, Article 502, Off-Premise Signs.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Washoe County that a moratorium for a period of one hundred eighty (180) days retroactive from the date of the expiration of the previously adopted resolution (November 1, 2001) shall be placed on the acceptance, processing or approval of development applications for new off-premise signs.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Washoe County that the moratorium on the acceptance, processing or approval of development applications for new off-premise signs is to be effective for all properties located within the unincorporated portion of Washoe County.

02-100 **BILL NO. 1323 – ORDINANCE NO. 1147 – AMENDING WCC**
CHAPTER 10 – DESIGNATE A CLERK OF THE COURT –
ELIMINATE MICROFILMING JUDICIAL RECORDS BY THE
COUNTY CLERK

4:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on January 11, 2002, to consider second reading and adoption of Bill No. 1323. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance.

Shirley Allen, area resident, expressed her concern about judges having exclusive control over court records.

There being no one else wishing to speak, Chairman Sferrazza closed the public hearing.

Commissioner Shaw asked if the microfilm equipment has anything to do with this ordinance, as there were concerns raised earlier in the meeting regarding the transfer of equipment to the District Court. Madelyn Shipman, Legal Counsel, advised that issue has nothing to do with this ordinance.

Chairman Sferrazza stated that he wants to make it clear on the record that WCC Chapter 10.020 includes language that the Court Administrator shall present the budget to the County Board of Commissioners. Ms. Shipman advised that the current Code contains the language the Board had requested concerning budget authority, and that State law requires that budgets be presented to the County Commission for approval.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1147, Bill No. 1323, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING CHAPTER 10 TO REFLECT THE AUTHORITY OF THE COURT TO APPOINT AND/OR DESIGNATE A CLERK OF THE COURT, TO ELIMINATE THE MICROFILMING OF JUDICIAL RECORDS BY THE COUNTY CLERK BY REPEALING SECTION 10.040 TO UPDATE REFERENCES IN CHAPTER 10 TO AMENDED PROVISIONS OF CHAPTER 5, AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

02-101 APPEAL OF SPECIAL USE PERMIT CASE NO. SW0012-034 (OIL-DRI) – COMMUNITY DEVELOPMENT

4:00 p.m. This was the time set in a notice of public hearing dated January 10, 2002, mailed to affected property owners by the Department of Community Development to consider an appeal of the decision of the Washoe County Planning Commission to deny the establishment of a clay mining operation and related processing facility/finished-product plant on portions of six (6) parcels of land situated in the North Valleys planning area and the Warm Springs planning area. The project consists of two open pits, a plant site, haul roads, and an access road onto Lemmon Drive. The two clay mine pits will be located in the Hungry Valley portion of the Warm Springs Hydrographic Basin. The two clay mines will be located in portions of Section 5, Section 17 and 18, T21N, R20E and Section 32, T22N, R20E; the processing facility will be located in portions of the SE/4, Section 24, T21N, R19E, MDBM, Washoe County, Nevada, within County Commission District No. 5. (APN: 080-710-04; 080-710-05; 080-710-06; 079-080-53; 089-170-01; and 089-170-02).

Commissioner Bond stated that she has met with both Oil-Dri Corporation and opposing parties on this issue for over 2 1/2 years regarding this proposed project. Critical information is lacking in the documentation submitted to make a well informed

decision. She said there has been no letter of record issued by the Federal Government to allow the mining. The Board has been told that they were going to issue the letter, but it has not been submitted to the Board as of this date. There are also issues of interbasin water transfer that has not been addressed by the State of Nevada or the Water Resources Department to determine any ramifications. Also, the reclamation process has not been addressed, and there has been nothing submitted in writing.

Chairman Sferrazza opened the public hearing on this matter.

Commissioner Bond moved to continue this hearing for 30 days in order for Oil-Dri to get needed documentation concerning air quality, water issues, letter of record and the issue of reclamation. The motion was seconded by Commissioner Short.

Commissioner Short said he has a list of questions that he would like answered prior to the hearing in this matter, and because yesterday was a holiday there was no Caucus.

Chairman Sferrazza said he would allow each side 15 minutes to address whether they oppose or support the motion for continuance. He said the appellant would go first regarding the continuance.

Stephen Mollath, Attorney representing Oil-Dri Corporation, stated that the appellant concurs with the request to continue this matter in order to provide the Board with complete information to make the most well informed decision.

Paula Berkley, on behalf of the Reno-Sparks Indian Colony (RSIC), said she objects to the 30-day continuance. She said the RSIC objected to the hearing even being scheduled for tonight, but Oil-Dri insisted on scheduling the hearing knowing they did not have complete documentation for the Board. The RSIC was informed if the applicant wanted the matter to be heard staff could not tell them no, but if they were denied because they did not have all of the pertinent information for the Board to consider that would be their problem. She said very little will happen in the 30 day continuance; Oil-Dri still will not have a baseline for the air quality study, as that takes one year as required by Washoe County Air Quality regulations; there would still be non-compliance with the Federal Clean Air Act requirements to prevent the significant deterioration of air quality; there still would be inaccurate modeling of the air quality impact because 30 days is not enough time to have an accurate model; there still would be no wind base line based on Hungry Valley rather than the airport; there still would be no small particle contamination input within 30 days; there would be no dependable resolution to innerbasin transfer of water; there would be no explanation for the 40-acre feet of water that Oil-Dri has requested rather than the 17-acre feet required by the project; and the public health issue raised at the RSIC still would not have been addressed. She said those are just the environmental issues that have not been addressed and probably still not be addressed within the 30 days. She advised that the only issue left to address regarding the reclamation permit is how much the bond amount should be. Oil-Dri has not contacted RSIC to negotiate how much the bond should be, and she

believes that Oil-Dri is not interested in negotiating that right now. She said there is no net value in waiting 30 days to hold this hearing, and the Board just needs to look out at the crowd to measure the opposition to this project.

Bob Fulkerson, J. Edward Parker, Pauline Lamoya, Dave Hunkup, Valerie Cohen, Ed Anderson, Donna Kapala, and John Bradbury, area residents, opposed the continuance of the hearing.

James Christiansen and Terry Simmons, area residents, support the motion for continuance in this matter.

Arlan Melendez, Chairman, Reno-Sparks Indian Colony, commented that the RSIC has been involved in the process from the beginning. They have been adamant about reviewing all of the facts and making sure they have all of the answers, as well as meeting all of the required deadlines. He said they cautioned all of the way through the EIS to take time and answer all of the community's concerns. Oil-Dri wanted to fast track this issue and push this matter through as fast as possible, even at the planning level process. He said RSIC has brought in experts concerning the clean air act and there is a process concerning the clean air act that needs to be addressed. A continuance is one thing, but there are issues that are not going to be answered or resolved within 30 days. Oil-Dri should have been prepared to answer and address all questions before this meeting was scheduled and it is no fault of the community, the people present tonight and the RSIC that Oil-Dri does not have all of the answers for the Board. RSIC has continually stated that the process needs to be slowed down, and now because the hearing may be continued, the RSIC will have to pay their air quality experts to come back at a later date to testify. He said it does not make sense to testify twice; either have the full hearing tonight or continue everything.

Pat Smith, Attorney for RSIC, stated that the people present have a fundamental right to testify tonight. The people present rearranged their schedules to attend this hearing and this matter should not be continued. The RSIC made a financial commitment to have their expert witnesses present for testimony tonight and 30 days is not going to address all of the unresolved issues.

Sarah Chvilicek, North Valleys Citizen Advisory Board, stated that the CAB supports the hearing being held tonight and requests the project be denied.

In response to Chairman Sferrazza's inquiry regarding expert witness testimony, Chairman Melendez stated that the experts they have present tonight would rather testify when the full hearing is held, rather than the Board hearing testimony tonight that they might not remember at a later hearing.

Commissioner Galloway stated that he would like to be able to read all of the material submitted by the RSIC today, and hear the presentations from both sides before making a decision.

Commissioner Shaw said he supports the motion for continuance, because he does not have all of the information to make a fully informed decision today. He said he would not support another continuance on February 26th regardless of whether Oil-Dri has all of the information needed for a determination on the special use permit.

Chairman Sferrazza said he previously spoke with Commissioner Bond regarding her request for a continuance. He said he hoped that the people present tonight would have been made aware of the continuance so they would not have had to come out of their way, and because everyone is present tonight and prepared to go forward, he will not support the motion for a continuance.

On call for the question, which motion duly carried with Chairman Sferrazza voting "no," it was ordered that the public hearing be continued to February 26, 2002, at 4:00 p.m.

Chairman Sferrazza outlined how the hearing on February 26th will be conducted. A copy of the outline was placed on file with the Clerk. He will allow the general public one minute each to make their comments, but if someone has something new and original that the Board has not yet heard, he will allow them to speak longer.

Robert Sellman, Director, Community Development Department, requested that this item be agendaized for the February 11, 2002 Caucus meeting in order for staff to review the staff report with the Board. This will ensure that any questions that need to be answered in the report can be answered prior to the February 26th meeting. Chairman Sferrazza advised that the item could be agendaized for the Caucus meeting for review only.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 5:05 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST: **AMY HARVEY**, County Clerk

*Minutes Prepared by
Barbara Trow and Jeraldine Magee
Deputy County Clerks*